ESTTA Tracking number:

ESTTA438575 10/31/2011

Filing date:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053556
Party	Plaintiff K2 Professional Services Inc. and K2 Professionals, Inc.
Correspondence Address	R CHARLES HENN JR KILPATRICK TOWNSEND & STOCKTON LLP 1100 PEACHTREE STREET, SUITE 2800 ATLANTA, GA 30309 UNITED STATES chenn@kilpatricktownsend.com,bbrewster@kilpatricktownsend.com,rgordon@kilpatricktownsend.com,tmadmin@kilpatricktownsend.com,ksullivan@kilstock.com
Submission	Withdrawal of Cancellation
Filer's Name	R. Charles Henn Jr.
Filer's e-mail	chenn@kiltown.com,ksullivan@kiltown.com,tmadmin@kiltown.com,rgordon@kiltown.com
Signature	/R. Charles Henn Jr./
Date	10/31/2011
Attachments	K2 - Notice of Dismissal with Prejudice.pdf ( 2 pages )(9322 bytes )

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

K2 PROFESSIONAL SERVICES INC., and K2 PROFESSIONALS, INC.,

Petitioners.

Cancellation No. 92053556

Registration Nos.: 3,531,241 and

3,524,403

VS.

FIONNOEL AG,

Registrant.

## NOTICE OF DISMISSAL WITH PREJUDICE

Pursuant to 37 C.F.R. § 2.106(c), Trademark Board Manual of Procedure § 601.01, and the parties' settlement agreement, Petitioners K2 Professional Services Inc. and K2 Professionals, Inc. notice their dismissal of this action with prejudice.

Respectfully submitted this October 31, 2011.

/R. Charles Henn Jr./

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**Attorneys for Petitioners** 

## **CERTIFICATE OF SERVICE**

I certify that a copy of the attached NOTICE OF DISMISSAL WITH PREJUDICE was served on Registrant's correspondent of record on October 31, 2011 via first class mail addressed to:

Lawrence E. Abelman Abelman Frayne & Schwab 666 Third Avenue 10th Floor New York, Ny 10017

> <u>/R. Charles Henn Jr./</u> Attorney for Petitioners